

8
SK
Ct. No. 18
22.03.2021

**C.O. No. 732 of 2021
(Via Video Conference)**

**Sri Anup Ghosh @ Anup Kumar Ghosh
Vs.
Sri Chandan Kumar Mukherjee & Ors.**

Mr. Gautam Das

... For the petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite parties, as such service of notice of the present application upon the said opposite parties is dispensed with.

The petitioner along with the opposite party nos. 2, 3, 4 and 5 have filed a suit being Title Suit No. 81 of 2016 for eviction of the opposite party no. 1 on the ground that the said opposite party is a trespasser in the suit property.

The said suit is pending before the 2nd Court of learned Civil Judge, (Junior Division), at Sealdah, District 24 Parganas (South).

The petitioner complains that the defendant/opposite party no. 1 is causing unnecessary delay in disposal of the said suit and prays for a direction upon the learned trial Judge for expeditious disposal of the said suit.

It appears from the record that the cross-examination of P.W. 1 is going on, therefore the suit is at matured stage.

The Courts are resuming normal functioning slowly during this Covid – 19 pandemic period, at this stage this Court is not inclined to pass any direction upon the learned trial Judge for disposal of the said suit within a specific period, but considering the stage at which the suit has reached and the nature of the suit, this Court desires that the learned trial Judge shall make all endeavour to dispose of the said suit expeditiously and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 732 of 2021 is thus disposed of.

No order as to costs.

The petitioner is required to communicate this order to the opposite party no. 1 within a week from date.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)